

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 11, 2009
SAN FRANCISCO, CALIFORNIA**

S150371 D047347 Fourth Appellate District, Div. 1 **SCHATZ (RICHARD A.) v.
ALLEN MATKINS LECK
GAMBLE & MALLORY, LLP**

The request for modification of the opinion is granted.

S163502 **BROWN (MAURICE L.) ON
H.C.**

OSC issued, returnable in Superior Court

The Director of the Department of Corrections and Rehabilitation is ordered to show cause before the Contra Costa County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to relief as conceded by the Attorney General in his informal response filed with this court on January 5, 2009. The return is to be filed on or before April 10, 2009.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S169508 A114910 First Appellate District, Div. 5 **PEOPLE v. RODRIGUEZ
(EDGARDO)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division Five

The matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *People v. Avila* (2006) 38 Cal.4th 491, 567-568. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155199 G037084 Fourth Appellate District, Div. 3 **EPISCOPAL CHURCH CASES**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Three

In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155208 G036730 Fourth Appellate District, Div. 3 **EPISCOPAL CHURCH CASES**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Three

In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155687 G036498 Fourth Appellate District, Div. 3 **EPISCOPAL CHURCH CASES**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Three

In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S156770 H029958 Sixth Appellate District**CENTRAL COAST BAPTIST
ASSOCIATION v. FIRST
BAPTIST CHURCH OF LAS
LOMAS**

Dismissed and remanded to Court of Appeal, Sixth Appellate District

In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed. The Court of Appeal's opinion, originally published at 154 Cal.App.4th 586, is ordered republished. (Cal. Rules of Court, rule 8.528(b)(3).)

Kennard, J., is of the opinion the Court of Appeal's opinion should not be republished.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S167078 B191806 Second Appellate District, Div. 3**SYNOD OF SOUTHERN
CALIFORNIA & HAWAII v.
KIM (KYUNG SUH)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Three

In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S168611 D051120 Fourth Appellate District, Div. 1 **NEW (DALE W.) v.
KROEGER (DONALD)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division One
In light of the decision in *Episcopal Church Cases* (2009) 45 Cal.4th 467, review in this matter is dismissed. The Court of Appeal's opinion, originally published at 167 Cal.App.4th 800, is ordered republished. (Cal. Rules of Court, rule 8.528(b)(3).)
Kennard, J., is of the opinion the Court of Appeal's opinion should not be republished.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S110791 **JONES (ERNEST DEWAYNE)
ON H.C.**

Petition for writ of habeas corpus denied (AA)
The petition for writ of habeas corpus, filed December 3, 2003, is denied.
All claims are denied on the merits.
To the extent they were raised and rejected on appeal, and except insofar as they allege ineffective assistance of counsel, paragraph 2 of Claim Q, and Claims B, C, M and U are barred by *In re Waltreus* (1965) 62 Cal.2d 218, 225.
To the extent they were not raised on appeal, and except insofar as they allege ineffective assistance of counsel, paragraph 1 of Claim G, paragraphs 3 and 4 of Claim H, Claim I (with the exception of paragraph 5, subdivision (c)), Claim Q (with the exception of paragraph 2), and all of Claims C, K, L, M, P, R, and U are barred by *In re Harris* (1993) 5 Cal.4th 813, 825 & fn. 3, 826-829, and *In re Dixon* (1953) 41 Cal.2d 756, 759.
Except to the extent they allege ineffective assistance of trial counsel, paragraphs 1 and 2 of Claim H, paragraph 5(c) of Claim I, and Claims N and Y are denied because petitioner failed to raise them in the trial court. (*In re Seaton* (2004) 34 Cal.4th 193.)
To the extent Claim K alleges insufficiency of the evidence, it is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)
Justice Werdegarr would not hold that any of petitioner's claims are barred under *In re Seaton* (2004) 34 Cal.4th 193, 201.

S159235 **JONES (ERNEST DEWAYNE)
ON H.C.**

Petition for writ of habeas corpus denied (AA)
The petition for writ of habeas corpus, filed October 16, 2007, is denied.

S166400**CHAFFER (ANDREW
PASQUALE) v. PROSPER
(K.); LOCKYER (BILL)**

Request for certification denied

The request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is denied because a decision by this court is unlikely to be determinative in the federal proceedings and there is controlling precedent on the question of timeliness. (Cal. Rules of Court, rule 8.548(a)(1).)

S169005 B205182 Second Appellate District, Div. 5**PEOPLE v. GARCIA
(CARLOS OCHOA)**

Petition for review denied

S169060 B193733 Second Appellate District, Div. 8**PEOPLE v. MARQUEZ
(JAVIER)**

Petition for review denied

S169150 B204819 Second Appellate District, Div. 2**PEOPLE v. RIVERA (RICK)**

Petitions for review denied

S169161 F053389 Fifth Appellate District**PEOPLE v. LOPEZ (VICTOR)**

Petitions for review denied

S169162 B201371 Second Appellate District, Div. 2**PEOPLE v. CASEY (JURRAY
WILLIE)**

Petition for review denied

S169208 C051963/C051803 Third Appellate District**PEOPLE v. DAVIS (MICHAEL
AARON)**

Petitions for review denied

S169223 C056202 Third Appellate District

Petition for review denied

**PEOPLE v. ALLMAN
(AARON RAY)**

S169324 B200277 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. REED (PETER
JOSEPH)**

S169349 A118182 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WOODMANCY
(WAYNE)**

S169374 B183388 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CARMONA (LUIS
M.)**

S169376 E041719 Fourth Appellate District, Div. 2

Petitions for review denied

**PEOPLE v. LOPEZ (DANIEL
DAVID)**

S169396 C054676 Third Appellate District

Petition for review denied

The request for judicial notice is denied.

**PEOPLE v. RUSHING
(KENNETH)**

S169430 C056856 Third Appellate District

Petition for review denied

**PEOPLE v. HERNANDEZ
(ROGELIO TORRES)**

S169434 B194188 Second Appellate District, Div. 4

Petition for review denied

**KLINCK (THOMAS) v.
PERELMUTTER (DANIEL)**

S169476 G038830 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. CHAVEZ (JOSE OSCAR)

S169482 H032878 Sixth Appellate District

Petition for review denied

LANE (RICHARD R.) v. CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM

S169513 A117870/A120152 First Appellate District, Div. 1

Petition for review denied

OAKLAND, CITY OF v. JURICH (PAUL R.)

S169533 C055057/C055128 Third Appellate District

Petition for review & application for stay denied

PEOPLE v. HUNDAL (KANWALJIT)

S169536 B208427 Second Appellate District, Div. 3

Petition for review & depublication request(s) denied

TOKHMANIAN (GARABET) ON H.C.

S169540 C052361 Third Appellate District

Petitions for review denied

PEOPLE v. PRIETO (JOSE ALEJANDRO)

S169547 E043286 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. OLSON (CHARLES RICHARD)

S169548 C056200 Third Appellate District

Petition for review & depublication request(s) denied

WALLIS (DALE M.) v. PHL ASSOCIATES INCORPORATED

S169552 C057112 Third Appellate District
Petition for review denied

T. (J.), IN RE

S169554 E044533 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. WILLARD
(TIMOTHY MICHAEL)**

S169567 A123407 First Appellate District, Div. 1
The petition for review is denied without prejudice to filing a petition for writ of habeas corpus in the trial court. (See *In re Lawrence* (2008) 44 Cal.4th 1181.)

BELL (JUDY) ON H.C.

S169595 D050715 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. FABROS (REX
FRANCO)**

S169598 C056330 Third Appellate District
Petition for review denied

**PEOPLE v. ROBINSON
(LARRY)**

S169601 G037801 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. CADENA
(FELICIANO)**

S169602 E043191 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. MACHUCA
(RICARDO MARQUEZ)**

S169603 D052661 Fourth Appellate District, Div. 1
Petition for review denied

**FABROS (REX FRANCO) ON
H.C.**

S169605 B202401 Second Appellate District, Div. 1

Petitions for review denied

**PEOPLE v. HERNANDEZ
(VICTOR)**

S169631 A122293 First Appellate District, Div. 2

Petition for review denied

**WILLIAMS (FRANKIE
SAVANNAH) ON H. C.**

S169636 A121851 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GARCIA
(GERARDO)**

S169652 C060663 Third Appellate District

Petition for review denied

**JONES (WILLIE RAY) ON
H.C.**

S169658 C058597 Third Appellate District

Petition for review denied

**PEOPLE v. JEFFERS (KELLY
CHARLES)**

S169668 H031585 Sixth Appellate District

Petition for review denied

**PEOPLE v. ARTEAGA
(LORENZO)**

S169670 H033273 Sixth Appellate District

Petition for review denied

**PEOPLE v. ARTEAGA
(LORENZO)**

S169682 C058219 Third Appellate District

Petition for review denied

**PEOPLE v. MCDANIEL
(SHAWN)**

S169687	E046145 Fourth Appellate District, Div. 2	PEOPLE v. KENNEDY (MICHAEL J.)
Petition for review denied		
S169692	B205534 Second Appellate District, Div. 4	PEOPLE v. DAVIS (JONATHAN F.)
Petition for review denied		
S169697	F053682 Fifth Appellate District	PEOPLE v. PINEDA (ERIC)
Petition for review denied		
S169709	B200472 Second Appellate District, Div. 6	PEOPLE v. JOHNSON (CLEVELAND)
Petitions for review denied		
S169726	E044412 Fourth Appellate District, Div. 2	PEOPLE v. VALDEZ (RODNEY THOMAS)
Petition for review denied		
S169734	B204856 Second Appellate District, Div. 7	PEOPLE v. MORGON (THOMAS)
Petition for review denied		
S169744	F054616 Fifth Appellate District	PEOPLE v. VORAVONG (MICHAEL)
Petition for review denied		
S169754	H031164 Sixth Appellate District	PEOPLE v. CHEEK (MICHAEL THOMAS)
Petition for review denied		

S169761 C057227 Third Appellate District

Petition for review denied

**PEOPLE v. VILLEGAS
(RICKY ANTHONY)**

S169762 B200361 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARSHALL
(MELINDA)**

S169765 B205489 Second Appellate District, Div. 3

Petition for review & publication request(s) denied

**MOORE (DARRELL J.) v.
HOUSING AUTHORITY OF
THE CITY OF LOS ANGELES**

S169766 C053897 Third Appellate District

Petition for review denied

**OLFATI (PARVIN PATTY) v.
STATE BOARD OF
EQUALIZATION**

S169776 G038923 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BAKHTIARI
(MORTEZA NAVID)**

S169779 A119101 First Appellate District, Div. 2

Petition for review denied

**KHAMVAN (LEUA) v.
WESTERN
ENVIRONMENTAL
CONSULTANTS, INC.**

S169784 B205903 Second Appellate District, Div. 6

Petition for review & depublication request(s) denied

**C. (J.) v. LOS ANGELES
UNIFIED SCHOOL DISTRICT**

S169793 A119299 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. HARRIS
(MICHAEL SHERMAN)**

S169799 A122954 First Appellate District, Div. 4

Petition for review denied

**HARRIS (MICHAEL
SHERMAN) ON H.C.**

S169816 G039491 Fourth Appellate District, Div. 3

Petition for review denied

**INSURANCE COMPANY OF
THE STATE OF
PENNSYLVANIA v.
NATIONAL FIRE
INSURANCE COMPANY OF
HARTFORD**

S169817 G039959 Fourth Appellate District, Div. 3

Petition for review denied

**HONG (JUAN) v. GRANT
(STANLEY)**

S169822 C055092 Third Appellate District

Petition for review denied

**PEOPLE v. FAIRMAN
(ALLEN DESHAUN)**

S169833 B201469 Second Appellate District, Div. 7

Petition for review denied

**AYRES (ASHLEY) v.
MOUNTAIN HIGH
HOLDINGS, LLC**

S169835 B192567 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ALLEN
(FREDERICK GLENN)**

S169837 B204577 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. PETTY
(WILLIAM JOEL)**

S169841 B201001 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LOZANO
(PHILLIP)**

S169842 A114163 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FONUA (PELISI
FOKETI)**

S169845 F053649 Fifth Appellate District

Petition for review denied

**PEOPLE v. CONFECTIONER
(SAMUEL LOFTY)**

S169850 H031875 Sixth Appellate District

Petition for review denied

**PEOPLE v. FRANCO
(KENNETH)**

S169860 F055479 Fifth Appellate District

Petition for review denied

WELCH (THOMAS) ON H.C.

S169870

**DO (MICHAEL NGUYEN) &
LY (ANNA MY), DBA:
CARSON PARK LIQUOR,
4119 LOS COYOTES
DIAGONAL, LAKEWOOD,
CA 90713 v. DEPARTMENT
OF ALCOHOLIC BEVERAGE
CONTROL; STEVE HARDY,
DIRECTOR OF ALCOHOLIC
BEVERAGE CONTROL;
ALCOHOLIC BEVERAGE
CONTROL APPEALS BOARD**

Petition for writ of review & application for stay denied

S169902 G041342 Fourth Appellate District, Div. 3

Petition for review denied

**JACKSON (THOMAS) ON
H.C.**

S169904 B205531 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MADDEN
(KENTAJA)**

S169907 B212501 Second Appellate District, Div. 5
Petition for review denied

GOOD (WILLIAM) ON H.C.

S169910 D052171 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LAWRENCE
(ANDREW)**

S169911 F054458 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**PEOPLE v. DAVIS (LEE
DELL)**

S169914 B202085 Second Appellate District, Div. 1

Petition for review denied

**LARNER (JOSEPHINE) v.
LOS ANGELES DOCTORS
HOSPITAL ASSOCIATES, LP**

S169920 E045727 Fourth Appellate District, Div. 2

Petition for review denied
Baxter and Corrigan, JJ., are of the opinion the petition should be granted.

**PEOPLE v. GUSTAVESON
(BRENDA CATHERINE)**

S169940 A119528 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ROMERO
(ROBERT ANTONIO)**

S169943 G038726/G040341 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. DRIGGARS
(TIMOTHY LEE)**

S169946

Petition for writ of review denied

**QUINLAN (CHARLES E.) ON
ADMISSION**

S169950 C060782 Third Appellate District

Petition for review denied

SHIVES (THOMAS) ON H.C.

S169961 D052943 Fourth Appellate District, Div. 1

Petition for review & publication request(s) denied

**TANG (PO-HAI) v. CS CLEAN
SYSTEMS AG**

S169962 B210193 Second Appellate District, Div. 1

Petition for review denied

**ROBINSON (TRACY L.) v.
NORWOOD (ASKIA UMAAR)**

S169963 E047385 Fourth Appellate District, Div. 2

Petition for review denied

**SOUTHERN CALIFORNIA
PIPELINE CONSTRUCTION,
INC. v. S.C. (CENTRAL
PACIFIC BANK)**

S169969 F055096 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

**LAMONS (JONATHAN) v.
RIVERA (SERGEANT I.)**

S169975 G040049 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. NICKERSON
(MICHAEL VAUGHN)**

S169990 D051241 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. BROWN (EMMA)

S169993 E045004 Fourth Appellate District, Div. 2

Petition for review denied

**HANSON (GERALD) v.
DEAGUILERA (JAMES)**

S169996 B202657 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUERRERO
(MIGUEL)**

S169998 E044317 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JONES (TROY
LAMONT)**

S170000 A120769 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ARNOLD (FRED
BERNARD)**

S170002 D053473 Fourth Appellate District, Div. 1

Petition for review denied

BENDA (ELDEN) ON H.C.

S170006 F052637 Fifth Appellate District

Petition for review denied

**PEOPLE v. DIAZ, JR.,
(MARIANO)**

S170008 G039314 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HATLEBERG, JR.,
(MAYNARD)**

S170009 B200523 Second Appellate District, Div. 5

Petition for review denied

**BICKELMANN (BELINDA) v.
ASSIL SINSKEY EYE
INSTITUTE**

S170010 A120030 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BARAJAS (JUAN
CARLOS)**

S170014 H031812 Sixth Appellate District

Petition for review denied

**PEOPLE v. GOINS
(RAYMOND)**

S170017 B203791 Second Appellate District, Div. 4

Petition for review denied

**J. KEL PAINTING AND
WALLCOVERING, INC. v.
BURBANK UNIFIED
SCHOOL DISTRICT**

S170019 B210618 Second Appellate District, Div. 3

Petition for review denied

**CASTANEDA (JOSE LUIS) v.
WORKERS'
COMPENSATION APPEALS
BOARD (SAMY'S CAMERA,
INC.)**

S170024 B198625 Second Appellate District, Div. 2

Petition for review denied

**CARDET (SANDRA) v.
BURLISON (ROBERT C.)**

S170029 B175562 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. AKINS (TRAVIS
ANTHONY)**

S170030 B205451 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. CHIRINO (OSCAR GONZALEZ)

S170032 B204411 Second Appellate District, Div. 5

Petition for review & depublication request(s) denied

Kennard and Corrigan, JJ., are of the opinion the petition should be granted as to the first issue.

**H. (GEORGE),
CONSERVATORSHIP OF**

S170034 B212946 Second Appellate District, Div. 6

Petition for review denied

ABRAHAM (ALAN) ON H.C.

S170036 A123460/A123570 First Appellate District, Div. 1

Petition for review denied

**FUCHS (MASSIMO) v. S.C.
(SNYDER TRUST
ENTERPRISES)**

S170038 B210981 Second Appellate District, Div. 7

Petition for review denied

PILTZ (LESLIE) ON H.C.

S170040 E044994 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. PINEDA (DORA)

S170044 B205201 Second Appellate District, Div. 6

Petition for review & depublication request(s) denied

**GUEVARA (LARRY) v.
VENTURA COUNTY
COMMUNITY COLLEGE
DISTRICT**

S170051 A121105 First Appellate District, Div. 3

Petition for review denied

**CHB AMERICA BANK v. KIM
(CHONG SOO)**

S170052 D051886 Fourth Appellate District, Div. 1
Petition for review denied

A. (R.), IN RE

S170054 B206932 Second Appellate District, Div. 8
Petition for review denied

L. (I.), IN RE

S170055 H031007 Sixth Appellate District

Petition for review denied

**PEOPLE v. SULLIVAN
(MANSE)**

S170057 H031293 Sixth Appellate District

Petition for review denied

**MILPITAS, CITY OF v. YEN
(ROBERT C.)**

S170062 B213288 Second Appellate District, Div. 2

Petition for review denied

**LEPORE (JOSEPH ALLEN)
ON H.C.**

S170065 D051603 Fourth Appellate District, Div. 1

Petition for review denied

**MENDOZA (RAMON) v.
RUESGA (JOSE)**

S170068 A116694 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WALKER
(MICHELE ANN)**

S170072 C057421 Third Appellate District

Petition for review denied

**PEOPLE v. RODRIGUEZ
(FABIAN)**

S170074 C060311 Third Appellate District
Petition for review denied

COPLEY (RANDY) ON H.C.

S170077 C056850 Third Appellate District

Petition for review denied

**PEOPLE v. GALVEZ
(FERMIN CORONADO)**

S170079 E044100 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. BASS (BRIAN)

S170090 E043567 Fourth Appellate District, Div. 2

Petition for review denied

**NDUKWE (CHINEZE) v.
VIOLETTE (ROBERT J.)**

S170097 B201735 Second Appellate District, Div. 4

Petition for review denied

**BORSTEIN (ALFRED J.),
CONSERVATORSHIP OF**

S170101 D052500 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PERSON
(MICHAEL E.)**

S170108 F054953 Fifth Appellate District

Petition for review denied

**PEOPLE v. YOUNG
(DAMEOND KESHON)**

S170110 E044203 Fourth Appellate District, Div. 2

Petition for review denied

S. (D), IN RE

S170115 A123623 First Appellate District, Div. 4

Petition for review denied

DAVIS (PATRICK) ON H.C.

S170125 C057329 Third Appellate District

Petition for review denied

**PEOPLE v. DEW
(FREDERICK DESHAWN)**

S170128 B203254 Second Appellate District, Div. 5

Petition for review & depublication request(s) denied

**BOWLES (THOMAS C.),
ESTATE OF**

S170131 B205943 Second Appellate District, Div. 5

Petition for review & depublication request(s) denied
The application to appear as counsel pro hac vice is granted.

**AMERICAN CIVIL RIGHT
FOUNDATION v. LOS
ANGELES UNIFIED SCHOOL
DISTRICT/(ALVAREZ)/
(ALVAREZ)**

S170132 C055106 Third Appellate District

Petition for review denied

**PEOPLE v. GOLAB
(STANLEY)**

S170134 B197632 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LEON
(RODOLFO)**

S170142 B195515 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. DE LA CRUZ
(OSCAR RAMERO)**

S170145 D053669 Fourth Appellate District, Div. 1

Petition for review denied

**O. (JOSE) v. S.C. (SAN DIEGO
COUNTY HEALTH &
HUMAN SERVICES AGENCY)**

S170153 C056432 Third Appellate District

Petition for review denied

**PEOPLE v. LEMON (JIMMY
GARLAND)**

S170157 G039960 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BENITEZ
(ARTURO BERNABE)**

S170158 A123586 First Appellate District, Div. 4

Petition for review denied

**SEDILLO (ANDREW
JOSEPH) ON H.C.**

S170159

Petition for writ of mandate/prohibition denied

**SHAPIRO (JOSHUA
BARRETT) v. COMMITTEE
OF BAR EXAMINERS OF
THE STATE BAR OF
CALIFORNIA**

S170160 C060551 Third Appellate District

Petition for review denied

**GOMEZ (ARMANDO) ON
H.C.**

S170161 B205815 Second Appellate District, Div. 8

Petition for review denied

**BOLANOS (REBECCA) v. S.C.
(STATE DEPARTMENT OF
HEALTH CARE SERVICES)**

S170171 E045064 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LEE (LISA
MARIE)**

S170177 H032602 Sixth Appellate District
Petition for review denied

PEOPLE v. SMITH (CRAIG)

S170186 B198752 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MURILLO
(ESTEBAN STEVEN)**

S170207 B205702 Second Appellate District, Div. 1

Petition for review denied

**BOLGAR (PETER) v.
SCHRIMMER-CAVANAGH
INSURANCE AGENCY, INC.**

S170216 F056876 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

**ROSENBLUM (PHILLIP) ON
H.C.**

S170217 B203886 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. ALVAREZ
(EDGAR JAVIER)**

S170218 E044791 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WYNNE
(RICHARD ALLEN)**

S170221 D051786 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LAMB (MICHAEL
LEE)**

S170234 C059934 Third Appellate District

Petition for review denied

**SHASTA COLLEGE v.
PINEDA, JR., (CHARLES
DANIEL)**

S170239 B212895 Second Appellate District, Div. 8

Petition for review denied

**TRAPP (CHARLES W.) ON
H.C.**

S170250 B193358 Second Appellate District, Div. 8

Petition for review denied

**MOORE (IVAN RENE) v.
LERNER (LEONARD)**

S170252 B202940 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WALLACE
(ANGELA FAWN)**

S170254 E043871 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GONZALEZ
(OSCAR GONZALEZ)**

S170261 E047461 Fourth Appellate District, Div. 2

Petition for review denied

**DIAZ (MAXIMILIANO) ON
H.C.**

S170263 E047341 Fourth Appellate District, Div. 2

Petition for review denied

**HOWARD (DWAYNE) ON
H.C.**

S170265 E047536 Fourth Appellate District, Div. 2

Petition for review denied

**DEVAUGHN (MICHAEL O.)
v. S.C. (PEOPLE)**

S170282 B206502 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MULLENS
(JERRY)**

S170283 G039071 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GONZALEZ
(EFREN NIEVES)**

S170285 G041505 Fourth Appellate District, Div. 3

Petition for review denied

EVINS (WILLIAM) ON H.C.

S170288 E043972 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. SOTO (PEDRO)

S170295 F055266 Fifth Appellate District

Petition for review denied

PEOPLE v. TATE (TERRY WAYNE)

S170301 A118252 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. BENITEZ (LUIS ENRIQUE)

S170303 H033685 Sixth Appellate District

Petition for review denied

AVILA (ELIAS D.) ON H.C.

S170306 A120337 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. MCQUEEN (JOHN WILLIAM)

S170312 F054216 Fifth Appellate District

Petition for review denied

PEOPLE v. AMAYA, JR., (AMADO)

S170316 C060761 Third Appellate District

Petition for review denied

JONES (WILLIE RAY) ON H.C.

S170317 B206091 Second Appellate District, Div. 5

Petition for review denied

COLACHIS (NICHOLAS) v. GRISWOLD (KENNETH)

S170330 C056132 Third Appellate District

Petition for review denied

PEOPLE v. VEGA (LUIS ALONSO)

S170413 E047393 Fourth Appellate District, Div. 2

Petition for review denied

**DEVAUGHN (MICHAEL O.)
v. S.C. (PEOPLE)**

S170423

**CLARK (MOSES) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION FOUR (PEOPLE)**

Petition for writ of mandate/prohibition denied

The petition for writ of mandate is denied as moot in light of the January 9, 2009, order of the Court of Appeal denying the petition for writ of habeas corpus filed in B211074.

S170524 C060946 Third Appellate District

Petition for review & application for stay denied

PEOPLE v. S.C. (ACUNA)

S170537 B213775 Second Appellate District, Div. 7

Petition for review & application for stay denied

**BLAKELY (ZSUZSA) v. (S.C.)
PEOPLE**

S162512

Petition for writ of habeas corpus denied

**IZALDO (EDUARDO) ON
H.C.**

S164460

Petition for writ of habeas corpus denied

**LOZANO (ANTONIO TONY)
ON H.C.**

S165185

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

**HAMILTON (EUGENE) ON
H.C.**

S165818

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

DARBEY (AVERY) ON H.C.**S165820**

Petition for writ of habeas corpus denied

**PITCHFORD (WAYLON D.)
ON H.C.****S166008**

The petition for writ of habeas corpus is denied without prejudice to filing a petition for writ of habeas corpus in the trial court.
(See *In re Lawrence* (2008) 44 Cal.4th 1181.)

BIGGS (JEFFREY) ON H.C.**S166124**

Petition for writ of habeas corpus denied

PERRON (DERRICK) ON H.C.**S166125**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**GURULE (JOHN MARCOS)
ON H.C.****S166126**

Petition for writ of habeas corpus denied

**WILLIAMS (JAMAL D.) ON
H.C.****S166150**

Petition for writ of habeas corpus denied

**ALLEN, SR., (RODNEY
EUGENE) ON H.C.****S166151**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

PERRY (PETER) ON H.C.

S166161

Petition for writ of habeas corpus denied

**DEL TORO (STEVEN) ON
H.C.****S166266**

Petition for writ of habeas corpus denied

**EVANS (GENE EDWARD) ON
H.C.****S166268**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

**GARCIA (MARIO M.) ON
H.C.****S166281**

Petition for writ of habeas corpus denied

**MORRIS (CONDALEE) ON
H.C.****S166322**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**HERRERA (THEODORE) ON
H.C.****S166340**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

BOYD (WALTER) ON H.C.**S166384**

Petition for writ of habeas corpus denied

LOPEZ (ANTONIO) ON H.C.**S166408**

Petition for writ of habeas corpus denied

ELERICK (GARY R.) ON H.C.

S166423

Petition for writ of habeas corpus denied

LARA (CHARLIE) ON H.C.

S166444

Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

WEATHERSPOON (QUINCY S.) ON H.C.

S166454

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

WARNER (ERIC) ON H.C.

S166469

Petition for writ of habeas corpus denied

BROWN (WILLIAM) ON H.C.

S166470

Petition for writ of habeas corpus denied

CHAFFORD (DEMETRIUS) ON H.C.

S166476

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

DAVIS (DOYLE DARNELL) ON H.C.

S166483

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

WILLIAMS (MICHAEL E.) ON H.C.

S166484

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

PARKER (KENAZ DUMAH) ON H.C.

S166486

Petition for writ of habeas corpus denied

**WHITE (GEORGE T.) ON
H.C.****S166488**

Petition for writ of habeas corpus denied

**SALGADO (MAGDALENO)
ON H.C.****S166503**

Petition for writ of habeas corpus denied

**WASHINGTON (MAURICE)
ON H.C.****S166507**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**WATKIN (ANTHONY) ON
H.C.****S166512**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**HUGHES (LEE EDWARD) ON
H.C.****S166523**

Petition for writ of habeas corpus denied

**RAMIREZ (MARTIN) ON
H.C.****S166528**

Petition for writ of habeas corpus denied

**RUFF (WILLIE GENE) ON
H.C.**

S166532**WRIGHT (PATRICIA) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)**S166539****PEREZ (JAVIER
MALDONADO) ON H.C.**

Petition for writ of habeas corpus denied

S166540**BURTON (ERIC WILTON)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S166554****SHARRIEFF (ABDUL AL
MATIN) ON H.C.**

Petition for writ of habeas corpus denied

S166557**PEREIRA (RICHARD) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S166559****JIMENEZ (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S166561****VARNUM (STEVEN) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S166569 E046419 Fourth Appellate District, Div. 2

Petition for writ of habeas corpus denied

NORIEGA (DANIEL L.) ON H.C.

S166571

Petition for writ of habeas corpus denied

PARRILLA (GLEN JOSEPH) ON H.C.

S166575

Petition for writ of habeas corpus denied

STANLEY (JEFF) ON H.C.

S166577

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

GHOLAR (JOHN R.) ON H.C.

S166579

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

WILLIS (KEVIN FITZGERALD) ON H.C.

S166582

Petition for writ of habeas corpus denied

RILEY (DONALD) ON H.C.

S166606

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734.)

GREGORY (EDWIN) ON H.C.

S166608

Petition for writ of habeas corpus denied

DHANOWA (AMARJIT) ON H.C.

S166609

Petition for writ of habeas corpus denied

**ECHEVERRIA (JUAN
PEDRO) ON H.C.****S166610**

Petition for writ of habeas corpus denied

THABET (HAFED) ON H.C.**S166633**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**BURTON (RICKY S.) ON H.C.****S166635**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**RODRIGUEZ (OSCAR) ON
H.C.****S166638**

Petition for writ of habeas corpus denied

**PEREZ (ANTONIO ZARATE)
ON H.C.****S166652**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**SOLORIO (GUILLERMO) ON
H.C.****S166655**

Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)**CRANE (GARRETT
MORGAN) ON H.C.****S166660**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)**WALKER (EARL) ON H.C.**

S166661

Petition for writ of habeas corpus denied

WILSON (KARLOS) ON H.C.

S166667

Petition for writ of habeas corpus denied

LOPES (MANUEL D.) ON H.C.

S166669

Petition for writ of habeas corpus denied

BATO (BENEDICT) ON H.C.

S166670

Petition for writ of habeas corpus denied

GARCIA (JORGE) ON H.C.

S166672

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**LIDDELL (DAVID SCOTT)
ON H.C.**

S166685

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

PERRY (PETER) ON H.C.

S166690

Petition for writ of habeas corpus denied

**VARNER (FREDERICK) ON
H.C.**

S166695

Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**BAUTISTA (JASON VICTOR)
ON H.C.**

S166697

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

DELATORRE (JOSE) ON H.C.

S166698

Petition for writ of habeas corpus denied

**THOMAS (CHARLES LEON)
ON H.C.****S166714**Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**THOMAS (ELIJAH Q.) ON
H.C.****S166717**

Petition for writ of habeas corpus denied

ENS (JOSEPH A.) ON H.C.**S166723**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HAMPTON (EDDIE LEE) ON
H.C.****S166726**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**PAUL (ROBERT) ON H.C.****S166730**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**WILLIAMS (KEVIN) ON H.C.****S166731**

Petition for writ of habeas corpus denied

**RENNIE III (WILLIAM) ON
H.C.****S166732**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**SMITH (JOHNELL W.) ON
H.C.**

S166735

Petition for writ of habeas corpus denied

**WALKER. JR., (MAURICE L.)
ON H.C.**

S166739

Petition for writ of habeas corpus denied

CHAVEZ (JUAN D.) ON H.C.

S166741

Petition for writ of habeas corpus denied

**DEBRECENY (MICHAEL) ON
H.C.**

S166745

Petition for writ of habeas corpus denied

SCOTT (CURTIS) ON H.C.

S166749

Petition for writ of habeas corpus denied

**WILLIAMS (DAYVAUGHN)
ON H.C.**

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S166751

Petition for writ of habeas corpus denied

VALDEZ (EMIGDIO) ON H.C.

S166758

Petition for writ of habeas corpus denied

STUART (DANIEL) ON H.C.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S166760

Petition for writ of habeas corpus denied

**THOMPSON (DEION
MICHAEL) ON H.C.**

S166762**VILLALOBOS (VICTOR) ON
H.C.**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

S166763**DARBEY (AVERY) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S166768**BENJAMIN (IRA DURANTE)
ON H.C.**

Petition for writ of habeas corpus denied

S166770**HARNDEN (JEFF S.) ON H.C.**

Petition for writ of habeas corpus denied

S166806**VILLESCAS (ALBERTO) ON
H.C.**

Petition for writ of habeas corpus denied

S166808**MEDINA (ALBERT D.) ON
H.C.**

Petition for writ of habeas corpus denied

S166809**MACKEY (SAMUEL JUNIOR)
ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

S166813**THOMPSON (RAYMOND A.)
ON H.C.**

Petition for writ of habeas corpus denied

S166815**HOLT (DANA ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S166816**FELIX (EDDIE) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S166819**SULLIVAN (EDWARD) ON H.C.**

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S166840**FITZPATRICK (DUANE KEITH) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

S166858**ROSAS (RICARDO) ON H.C.**

Petition for writ of habeas corpus denied

S166871**SOTO (ABRAHAM) ON H.C.**

Petition for writ of habeas corpus denied

S166885**CLARK (JEROME DONALD) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

S166890**PENA (EUGENIO) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

S166902

Petition for writ of habeas corpus denied

**HENDERSON (JOHNDELL)
ON H.C.****S166906**

Petition for writ of habeas corpus denied

**BARGHOORN (DAVID F.) ON
H.C.****S166915**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**HALL (CHRISTOPHER) ON
H.C.****S166922**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**REID (WALTER R.) ON H.C.****S167085**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**PERRY (PETER) ON H.C.****S167151**

Petition for writ of habeas corpus denied

**PETERSON (DOUGLAS W.)
ON H.C.****S167159**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**PEREZ (JAVIER
MALDONADO) ON H.C.**

S167212

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

VALDEZ (EMIGDIO) ON H.C.**S167622**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

PERRY (PETER) ON H.C.**S168011**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

LIDDELL (DAVID) ON H.C.**S168038**

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**LIPSEY (RODERICK) ON
H.C.****S168163**

Petition for writ of habeas corpus denied

**FEISEL (DUANE EDWARD)
ON H.C.****S168416**

Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**LIPSEY (RODERICK) ON
H.C.****S168520**

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

**LIPSEY (RODERICK) ON
H.C.**

S168685

Petition for writ of habeas corpus denied

ORTIZ (ROBERT) ON H.C.**S169136**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**BENYAMINI (ROBERT) ON
H.C.****S169311**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**BENYAMINI (ROBERT) ON
H.C.****S169472**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**BENYAMINI (ROBERT) ON
H.C.****S169501**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**BENYAMINI (ROBERT) ON
H.C.****S169700**Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**TORLUCCI (ARTHUR) ON
H.C.****S169803**

Petition for writ of habeas corpus denied

**BRIM (BRIAN KEITH) ON
H.C.**

S169846

Petition for writ of habeas corpus denied

**FONUA (PELISI FOKETE)
ON H.C.****S170104**

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)**LIPSEY (RODERICK) ON
H.C.****S170240**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**CLARK (JEROME DONALD)
ON H.C.****S170294**

Petition for writ of habeas corpus denied

**BENYAMINI (ROBERT) ON
H.C.****S170415**

Petition for writ of habeas corpus denied

**LOMELI (JOSEPH BRIAN)
ON H. C.****S170429**

Petition for writ of habeas corpus denied

GARCIA (JULES J.) ON H.C.**S170452**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**EMERSON (CHRISTOPHER)
ON H.C.**

S170467**MITCHELL (NATHANIEL K.)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170506****SMITH (DEWONE T.) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170540****THOMPSON (RAFT) ON H.C.**

Petition for writ of habeas corpus denied

S170682**JOHNSON (SWAN WILLIAM)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170688****WOODS II (EARNEST C.) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)**S170692****GARCIA (RAMIRO) ON H.C.**

Petition for writ of habeas corpus denied

S169992

F054911 Fifth Appellate District

**HANSEN (DOUGLAS R.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS AND
REHABILITATION**

Publication ordered (case closed)

On the recommendation of the Court of Appeal pursuant to rule 8.1120 (c) of the California Rules of Court, the Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Officials Reports.

S168964 G038537 Fourth Appellate District, Div. 3

**EKSTROM (ROBERT) v.
MARQUESA AT MONARCH
BEACH HOMEOWNERS
ASSOCIATION**

Depublication requests denied (case closed)

S169347 F055097 Fifth Appellate District
Depublication requests denied (case closed)

A. (A), IN RE

S169423 F054937 Fifth Appellate District

**GLOBAL DISCOVERIES,
LTD. v. BARNETT (ANN
K.)/(TONGCO)**

Publication requests denied (case closed)

S169594 B196072 Second Appellate District, Div. 7

**MURRIETA (JAVIER) v.
CIVIL SERVICE
COMMISSION (COUNTY OF
LOS ANGELES)**

Publication request denied (case closed)

S169644 B194314/B196120 Second Appellate District, Div. 4

**MOGHADAM (RAFI) v.
THE REGENTS OF
THE UNIVERSITY OF
CALIFORNIA**

Publication request denied (case closed)

S169698 C055799 Third Appellate District

**HEALTH NET OF
CALIFORNIA, INC. v.
DEPARTMENT OF HEALTH
SERVICES**

Publication requests denied (case closed)

S169960 B196258 Second Appellate District, Div. 3

Depublication requests denied (case closed)

Baxter and Corrigan, JJ., were recused and did not participate.

**BROWN (RONNIE C.) v.
WELLS FARGO BANK, N.A.**

S170229 C057412 Third Appellate District

Publication request denied (case closed)

**PEOPLE v. VON LAHR II
(THOMAS MARTIN)**

S169808 A118000 First Appellate District, Div. 1

The time for granting or denying review in the above-entitled matter is hereby extended to April 20, 2009.

**PEOPLE v. ANDERSON
(JADE EMILY)**

S169891 B207661 Second Appellate District, Div. 3

The time for granting or denying review in the above-entitled matter is hereby extended to April 20, 2009.

**NEW ALBERTSONS, INC. v.
S.C. (SHANAHAN)**

S079925

Extension of time granted

Good cause appearing, and based upon counsel Tara K. Hoveland's representation that she anticipates filing appellant Ruben Rangel's opening brief by August 15, 2009, counsel's request for an extension of time in which to file that brief is granted to May 4, 2009. After that date, only two further extensions totaling about 100 additional days are contemplated.

**PEOPLE v. MORA (JOSEPH
ADAM) & RANGEL (RUBEN)**

S079925

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Peter R. Silten's representation that he anticipates filing appellant Joseph Adam Mora's opening brief by May 12, 2009, counsel's request for an extension of time in which to file that brief is granted to May 12, 2009. After that date, no further extension is contemplated.

**PEOPLE v. MORA (JOSEPH
ADAM) & RANGEL (RUBEN)**

S099439**PEOPLE v. KREBS (REX
ALLAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 4, 2009.

S138147**SMITH (GREGORY SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Susan Sullivan Pithey's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by September 2, 2009, counsel's request for an extension of time in which to file that document is granted to May 5, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

S168781 C057241 Third Appellate District**PEOPLE v. SWEIG (TRAVIS)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to April 13., 2009.

S170686 B212826 Second Appellate District, Div. 6**FELIX (SCOTT) v. S.C.
(PEOPLE)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file real party's in interest answer to petition for review is hereby extended to March 23, 2009.

S135855**PEOPLE v. AVILA
(ALEJANDRO)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Jonathan P. Milberg is hereby appointed to represent appellant Alejandro Avila for the direct appeal in the above automatic appeal now pending in this court.

S099274**PEOPLE v. BROOKS
(DONALD LEWIS)**

Record augmentation granted

Appellant's "Motion to Augment the Record on Appeal," filed October 17, 2008, and supplemented on February 18, 2009, is granted. The record on appeal is augmented to include copies of the following four penalty phase jury instructions that had been proposed by trial counsel, which are attached to appellant's motion: (1) "Victim Impact," (2) "Mercy," (3) "Sympathy," and (4) "Lingering Doubt as to the Extent of Defendant's Guilt."

S089478**PEOPLE v. MAI (HUNG
THANH)**

Order filed

To assist the court in ruling on appellant Hung Thanh Mai's April 4, 2008, "Motion to unseal records or for a remand to the superior court to hold a hearing on whether the information contained therein is confidential and privileged or should otherwise remain sealed," the Attorney General is requested to solicit from the Federal Bureau of Investigation, and file with this court, a confidential declaration identifying *by page and line number* the information in the March 28, 1997, sealed transcript the Federal Bureau of Investigation claims falls within either Evidence Code section 1040 or section 1042. Any declaration must be filed on or before March 27, 2009.

S151615

B191879 Second Appellate District, Div. 8

**AMALGAMATED TRANSIT
UNION, LOCAL 1756, AFL-
CIO v. S.C. (FIRST TRANSIT,
INC.)**

Order filed

The motion of real parties in interest Laidlaw Transit Services, Inc., and First Transit, Inc., to treat this case as a companion to *Arias v. Superior Court* (S155965) is granted.

The motion of Amici Curiae Employers Group, California Employment Law Council, Chamber of Commerce of the United States of America, and California Chamber of Commerce to treat this case as a companion case to *Arias v. Superior Court* (S155965) is denied as moot.

S155965

C054185 Third Appellate District

**ARIAS (JOSE A.) v. S.C.
(DAIRY)**

Order filed

The motion of real parties in interest Angelo Dairy, Luis M. Angelo, Maria D. Angelo, and Joe Angelo to make this case a companion to *Amalgamated Transit Union, Local 1756, AFL-CIO et al. v. Superior Court* (S151615) is granted.

S162212**ERVINE (DENNIS NEWTON)
ON H.C.**

Motion to file document under seal granted

Respondent's application, filed on February 9, 2009, to file under seal "Respondent's Partial Brief I [pages 138-141 of the Informal Response]," "Respondent's Partial Brief II [page 234 of the Informal Response]," and "Exhibit R to Respondent's Informal Response" is granted. (Cal. Rules of Court, rule 8.160.) In ordering the sealing, this court makes the findings required by California Rules of Court, rule 2.550(d) and 8.160(e). The Clerk is directed to file these documents under seal. Respondent's counsel is ordered to serve a copy of these documents on counsel for petitioner, who is ordered not to publicly disclose their contents unless and until there is a further order of this court permitting such disclosure. Counsel for petitioner is reminded that if they wish to quote, disclose, or describe these documents in any portion of their Reply, those portions of the Reply must be filed under seal, for which permission must first be sought under California Rules of Court, rule 8.160.

S166952**TAYLOR (ROBERT
CLARENCE) ON H.C.**

Motion to file document under seal granted

Petitioner's "Application for Leave to Lodge Federal Petition for Writ of Habeas Corpus Under Seal," filed on December 8, 2008, is granted.

The Clerk is directed to seal the unredacted petition for writ of habeas corpus filed in Case No. 07-CV-6602-GW in the United States District Court for the Central District of California on September 22, 2008, which was lodged conditionally under seal on December 10, 2008. (Cal. Rules of Court, rules 8.160(g), 8.384(b)(3).) This record is to remain under seal until further order of this court. (Cal. Rules of Court, rule 8.160(f).)

The Clerk is further directed to return to petitioner's counsel, the Habeas Corpus Resource Center, the copy of the federal petition for writ of habeas corpus filed in Case. No. 07-CV-6602-GW in the United States District Court for the Central District of California on September 22, 2008, which was received in this court on September 23, 2008.

S170728**PEOPLE v. ADAMS (RONALD
LEE)**

Order filed

The order filed on March 6, 2009, transferring the matter to the Court of Appeal, Second Appellate District, is hereby amended to reflect the above-entitled caption.

S170979 G040867 Fourth Appellate District, Div. 3**PEOPLE v. HELMS
(JEREMIAH PAUL)**

Order filed

The application of Appellant for permission to file a petition for review in excess of 8,400 word limitation is hereby denied.

S169877

Petition denied (accusation)

MOORE, ACCUSATION OF**S170058**

Petition denied (accusation)

REHKA, ACCUSATION OF**S170061**

Petition denied (accusation)

SHARPE, ACCUSATION OF**S170091**

Petition denied (accusation)

RHODES, ACCUSATION OF**S170096**

Petition denied (accusation)

KELLER, ACCUSATION OF**S170189**

Petition denied (accusation)

**SAUNDERS, ACCUSATION
OF****S170209**

Petition denied (accusation)

WILSON, ACCUSATION OF**S170255**

Petition denied (accusation)

KOHL, ACCUSATION OF

S170378**YOUNG & YOUNG,
ACCUSATION OF**

Petition denied

(accusation)

Fourth Appellate District, Div. 2

TRANSFER ORDERS

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division One:

- | | | |
|-----|---------|-----------------------------------|
| 1. | E043888 | People v. Michael Rose et al. |
| 2. | E045802 | People v. Nicholas Buskirk |
| 3. | E044487 | People v. Manuel Sevilla |
| 4. | E045650 | People v. Paul Anderson |
| 5. | E045841 | People v. Cesar Rocha |
| 6. | E046689 | People v. Ralph Espinoza, Jr. |
| 7. | E044786 | People v. Kuldip Singh |
| 8. | E044925 | People v. Ralph McMoran |
| 9. | E045897 | People v. Stacy Hochanadel et al. |
| 10. | E046737 | People v. Firme Hajjaj |

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 6, 7, and 8, 2009**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on April 6, 7, and 8, 2009.

MONDAY, APRIL 6, 2009—1:30 P.M.

S154847	People v. Nguyen (Vince)
S116882	People v. Burgener (Michael Ray) [Automatic Appeal]
S050851	People v. Dykes (Ernest) [Automatic Appeal]

TUESDAY, APRIL 7, 2009—9:00 A.M.

S149178	Miller et al. v. Bank of America NT & SA (<i>Chin, J., not participating; Nares, J., assigned justice pro tempore</i>)
S155823	People v. Medina (Jose) et al.
S024833	People v. Farley (Richard Wade) [Automatic Appeal] (<i>Kennard, J., not participating; Nicholson, J., assigned justice pro tempore</i>)

1:30 P.M.

S150528	Smith v. Workers' Compensation Appeals Board, California Youth Authority et al.
S157197	Hughes v. Pair
S099231	In re Bolden (Clifford Stanley) on Habeas Corpus

WEDNESDAY, APRIL 8, 2009—9:00 A.M.

S155965	Arias v. Superior Court of San Joaquin County (Angelo Dairy et al., Real Parties in Interest)
S151615	Amalgamated Transit Union v. Superior Court of Los Angeles County (First Transit, Inc., et al., Real Parties in Interest)
S162156	In re S. B. et al.; Lassen Co. Dept. of Health and Human Services v. Sharyl S.

2:00 P.M.

S078664	People v. Avila (Joseph) [Automatic Appeal]
S157793	Guzman et al. v. County of Monterey et al.
S151370	Bonander et al. v. Town of Tiburon et al.

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)